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C O N F I D E N T I A L SECTION 01 OF 03 ANKARA 000937

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SUBJECT: TURKEY: EU TROIKA, IN ANKARA, FOCUSES ON NEED FOR
REFORM, DOMESTIC CHALLENGES

Classified By: Ambassador Ross Wilson, reasons 1.4 (b), (d)

¶1. (C) Summary and comment: The EU continued its intense engagement with Turkey (following EC President Barroso's recent visit) with a May 6 EU Troika meeting in Ankara. The EU delegation stressed the accession door remains very much open for Turkey, but reforms must be reinvigorated. Turkish FM Babacan acknowledged 2007 had been a lost year, but pledged 2008 was the "year of the EU". The ministers reviewed a range of regional issues and agreed that the nascent Cyprus process must move forward under UN auspices. The closure case against the ruling Justice and Development Party (AKP) also came under the microscope, both publicly, with Enlargement Commissioner Rehn pointing to the need to hone to EU and Western standards, and in private. Babacan told assembled EU Ambassadors, cameras rolling, that the AKP will accept whatever ruling the Constitutional Court makes. Turkey has only just started to revitalize the EU reform process. The EU is engaging robustly. If the GOT is serious, there is plenty of fodder, including more freedom of express-related articles of the Turkish Penal Code, revision of the Commercial Code, a draft law on protection of personal data and a host of other issues. End summary and comment.

¶2. (U) The EU Troika meeting in Turkey May 6 featured Enlargement Commissioner Olli Rehn, Slovene FM Rupel, French EU minister Jouyet and Turkish FM Babacan. The initial day of meetings stretched into four days of consultations, with Europe Day celebrations on May 9 hosted by President Gul and a breakfast with EU Ambassadors at which FM Babacan spoke. Need for Reforms, Continue the Process

¶3. (C) In the Troika consultations, the Slovene Ambassador reported, FM and Chief EU Negotiator Babacan highlighted Turkey's commitment to EU accession. He acknowledged that work slowed in 2007 because of the elections but stressed that 2008 is the "Year of the EU" and will see a major reform drive. Initial steps have been taken -- the Foundations Law, changes to Article 301. "Political issues" (e.g., Cyprus) interfere, as do irresponsible accession-related statements by some European leaders. Turkey recognizes the accession time-line is 15-20 years or more, and sees nothing to be gained by European leaders downplaying Turkey's prospects. Unfortunately, European leaders' statements translate into reduced Turkish public support for the EU. EC President Barroso sent encouraging signals, which should continue.

¶4. (C) On specific issues, Babacan said constitutional reform remains at the top of the government's agenda, but implied there will be no action before the Constitutional Court's ruling on the AKP closure case. He highlighted the need for comprehensive reform of the judiciary, taking steps against corruption, improving the status of women, greater transparency in the military budget, and recognizing cultural rights. Asked if this means Kurds, Babacan replied that they are part of Turkey. He expressed appreciation that the EU

continues to include the PKK on its terrorist lists, despite European court rulings to the contrary, and talked up economic developments plans in the Southeast.

15. (C) Slovene FM Rupel stressed that the EU door is very much open for Turkey and urged the GOT to continue work in 2008 on accession-related issues. The EU expects progress on reform and is encouraged by Babacan's statements. He worried about the closure case and recapped the points expressed in the Slovene EU Presidency statement on the issue in March. The EU hopes the matter will be resolved in a manner consistent with rule of law and democratic secularism. Rupel encouraged political compromise, characterizing it as an essential element of the way European governments do business and the EU itself works. He mentioned the Ecumenical Patriarch, civil-military relations and the May Day violence, urging tolerance and moderation. He noted Turkey's work to address the PKK terror threat and said the military mechanism can only be one part of the solution to the PKK problem.

16. (C) Olli Rehn also commented on the May Day violence. He was pleased that two chapters will likely open during the Slovene Presidency. Babacan complained that two is too few. On Cyprus, Rehn noted the need for Turkey to ratify the Additional Protocol, normalize relations with the ROC and engage intensely in UN-led comprehensive settlement talks as in 2003-04. In reply, Babacan noted that the working groups and technical committees are working. He hopes the anticipated meeting of the Greek and Turkish Cypriot leaders will take place after June 21; this should lead to comprehensive negotiations soon. While urging that the EU, like other third parties, treat the two sides (Greek and Turkish Cypriots) equally, EU technical assistance to the

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negotiations would be helpful, as it was in 2004. Babacan appealed for an end to Turkish Cypriot isolation and said Turkey's role since 1960 as a guarantor power will remain unchanged.

Regional Politics

17. (C) The Troika meeting also covered the waterfront on regional politics:

--Greece: Babacan highlighted confidence building efforts and progress in bilateral relations, as well as work to resolve Aegean issues, where some problems remain.

--Iraq: Babacan said Turkey is trying to be in contact with all factions. It supports the territorial integrity and unity of Iraq. He referenced Turkey's consulate in Mosul and plans to open another in Basra.

--Iran/Syria: Babacan said Turkey does not want a nuclear Iran. It supports diplomacy on the problem. Syrian and Iranian interests are not identical, and Turkey believe it useful to play on this to separate the two. Syria does not have the influence in Lebanon over Hezbollah that it used to. Turkey wants to be helpful on the Syria-Israel track, as well as on Lebanon. Babacan said the countries all want Turkey to play a role. Rehn said the EU is pleased and is following closely. According to Turkey's EU secretariat general's political chief Cem Kahyayolu, Rehn also asked about a possible Ahmedinejad visit to Ankara. Babacan responded there are no plans for such a visit.

--Caucasus: Babacan highlighted solidarity with Azerbaijan and the outreach to Armenia's new leaders.

--MEPP: The Slovene, having just come from a Quartet meeting, was pessimistic about progress by the end of the year. Babacan agreed.

The Closure Case and the EU

18. (C) EU officials have been outspoken on the AKP closure case. Commissioner Rehn, in Ankara, stated that the EU cannot remain indifferent to the developments in an EU candidate country. He noted that a political party should be banned only if it issues calls for violence, racism or terror. AKP was not posing such threats. Rehn stressed that the suit to ban the AKP should be finalized in light of democratic principles, rule of law, EU standards, the Council of Europe's Venice Commission recommendations and the European human rights treaty. He drew attention as well to Article 90 of the Turkish Constitution, which proclaims the precedence of international law in the event of a conflict between national and international laws. Slovene FM Rupel also stated in a press conference that the EU was concerned about the suit.

19. (C) While no one, certainly not Turks, enjoy being chastised publicly, some grudgingly acknowledge the EU has the right. Since Turkey aspires to join the EU club, it must also aspire to its values, including on standards for political party closure. Even the opposition is less rabid when Olli Rehn makes a statement. The opposition has been most strident about the optics of AKP and GOT officials appearing to lobby foreign leaders on the case; they are adamant that it is a domestic issue, and that AKP invites only trouble by soliciting outside support for its cause. Others, however, have expressed concern that even EU statements might be construed by Constitutional Court judges as attempts to interfere in the judicial process.

110. (C) Babacan reportedly asked the EU to avoid deadlocks on Turkey's EU entry negotiations in the event the court rules to close AKP. The French EU Minister, Jouyet, made the point during the meetings that France will not abuse its Presidency to seek to block Turkey's EU progress. Jouyet also indicated the French would unblock Chapters 17 of the Acquis (Economic and Monetary Policy) and 26 (Education and Culture). The French are currently blocking 5 chapters. The Slovene Ambassador suggested to us that France needs the Presidency to succeed here, given that so many other doors are closed to it. He thought the Turks will segment France the Presidency country from France the bilateral headache. It is likely, however, that the AKP closure case will come to a head during the French EU Presidency.

111. (C) At the March 9 Europe Day EU Ambassadors' gathering, Babacan, uncharacteristically, read a written statement and

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had arranged for media. He reportedly referred to the closure case and different scenarios for its resolution. He said the government had been interested in a mini-constitutional package, but the opposition had rejected it. The government, he stated, presumes the legitimacy of the Constitutional Court and the rule of law. It will accept the Court's decisions.

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